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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/735,575	12/12/2000	Clay Harvey Fisher	80398.P371	5734

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EXAMINER

BAROT, BHARAT

ART UNIT	PAPER NUMBER
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2155

DATE MAILED: 01/05/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/735,575

Applicant(s)

FISHER, CLAY HARVEY

Examiner

Bharat N Barot

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 07 September 2004.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-15, 19-25, 36 and 37 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-15, 19-25, 36 and 37 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

RESPONSE TO AMENDMENT

1. Claims 1-15 and 19-25; amended claims 1, 6-7, 13, 19, 22, and 25; and new claims 36-37 remain for further examination.

The old rejection maintained

2. The rejection is respectfully maintained as set forth in the last Office Action (Paper Number 03) mailed on April 23, 2003.

Specification

3. The title of the invention is not descriptive. A new title is required that is clearly indicative of the invention to which the claims are directed.

Drawings

4. This application has been filed with informal drawings, which are acceptable for examination purposes only. Formal drawings will be required when the application is allowed.

Claim Objections

5. Claim 7 is objected to because of the following informality:

Claim 7 line 2 “of a type” and “ the group” which are typographical errors.

Appropriate corrections are required.

Claim Rejections - 35 USC § 102

6. The text of those sections of Title 35, U.S. Code § 102 not included in this action can be found in a prior Office action.

7. Claims 1-2 and 10-12 are rejected under 35 U.S.C. 102(e) as being anticipated by Kenyon (U.S. Patent No. 6,701,343). Kenyon’s patent meets all the limitations for claims 1-2 and 10-12 recited in the claimed invention.

8. As to claim 1, Kenyon discloses a computerized method (see abstract; and figures 1-3), comprising: constructing one or more websites (column 3 lines 54-65); providing archive software on a computer, the archive software comprising one or more methods of website data selection (column 3 line 66 to column 4 line 8); and archiving website data (web pages) selected the one or more websites using the one or more methods of website data selection to a storage medium (column 3 lines 60-65; column 4 lines 35-50; and column 4 line 59 to column 5 line 3).

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9. As to claim 2, Kenyon discloses that the computer is a server (figure 1; and column 3 lines 39-53).

10. As to claims 10-12, Kenyon discloses that a button on a computer is interactive with archiving selected website data (figures 1 and 3; column 3 line 66 to column 4 line 8; and column 4 line 59 to column 5 line 3); teaches that archiving selected website data is accomplished automatically to a set schedule (column 4 lines 26-50; and column 5 lines 4-58); and also disclose that a dial is interactive with selecting the website data (column 3 line 66 to column 4 line 8; and column 5 lines 19-25).

Claim Rejections - 35 USC § 103

11. The text of those sections of Title 35, U.S. Code § 103 not included in this action can be found in a prior Office action.

12. Claims 3-9, 13-15, 19-22, 24-25, and 36-37 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kenyon (U.S. Patent No. 6,701,343) in view of Tinkler (U.S. Patent No. 6,411,999).

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13. As to claims 3-9, Kenyon explicitly does not disclose that the selected website data comprises one or more visual files, website characteristics, and types of business data.

Tinkler discloses that the selected website data comprises one or more visual files which are chosen from a group consisting of video, photographs, text, and artwork (figure 1; and column 2 lines 1-19); one or more website characteristics which are chosen from a group consisting of: order history, banners, page templates, editing tools, and site features (figures 1 and 6; column 2 line 20 to column 3 line 34; and column 5 lines 14-35); one or more types of business data which are chosen from the group consisting of: user account data, order history, credit history, inventory, camera settings, and photographer; and also disclose that at least one of the one or more types of business data is hidden business data (figure 4; and column 3 line 30 to column 4 line 19).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the teaching of Tinkler stated above in the computerized method of Kenyon as stated above because it would have made information and data easy available and accessible to the users for processing.

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14. As to claims 13-15 and 19-21, they are also rejected for the same reasons set forth to rejecting claims 1 and 3-12 above. Additionally, Kenyon teaches that archiving selected information at a non-website to the storage medium (figures 1 and 6; column 3 lines 54-65; and column 5 line 45 to column 6 line 12).

15. As to claims 22 and 24-25, they are also rejected for the same reasons set forth to rejecting claims 1-12 above, since claims 22 and 24-25 are merely an apparatus for the method of operation defined in the claims 1-12. Additionally, Kenyon discloses that the website further comprises links to other websites (column 5 lines 19-25 and 45-58).

16. As to claim 36, it is also rejected for the same reasons set forth to rejecting claims 1-12 above, since claim 36 is merely a program product for the method of operation defined in the claims 1-12.

17. As to claim 37, it is also rejected for the same reasons set forth to rejecting claims 1-12 above, since claim 37 is merely an apparatus for the method of operation defined in the claims 1-12.

18. Claims 23 and 27 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kenyon (U.S. Patent No. 6,701,343) in view of Tinkler (U.S. Patent No. 6,411,999) as applied to claims 22, 26, and 33 above, and further in view of Balasubramaniam et al (U.S. Patent No. 6,701,441).

19. As to claim 23, neither Kenyon nor Tinkler explicitly teaches that the archive software further comprises: security software to restrict data that can be archived by the remote computer.

Balasubramaniam et al explicitly teaches that the archive software further comprises: security software to restrict data that can be archived by the remote computer (figures 2, 3, and 4_1; and column 10 lines 32-60).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the teaching of Balasubramaniam et al stated above in the computerized system of Kenyon and Tinkler as stated above because it would have improved system security and in order to increased efficient utilization of the system.

20. As to claim 27, it is also rejected for the same reasons set forth to rejecting claim 23 above, since claim 27 is merely a method of operation for the apparatus defined in the claim 23.

Response to Arguments

21. Applicant's arguments with respect to claims 1-15 and 19-25 filed on September 7, 2004 have been fully considered but they are not deemed to be persuasive for the claims 1-20.

22. In the remarks, the applicant argues that:

Argument: (Pages 8-9) Neither Kenyon nor Tinkler or Balasubramaniam provides for selecting specific data from the web site and then archiving the selected data.

Response: Examiner strongly disagree with the applicant argument because Kenyon discloses that each website includes a plurality of web pages (column 4 lines 38-50) and the web pages which have been archived due to non-use (column 3 lines 60-65) which implies that the entire website information is not archived but the portion (selected data) of the website information is archived; therefore, Kenyon explicitly teaches the claimed invention that providing archive software on a computer, the archive software comprising one or more methods of website data selection (column 3 line 66 to column 4 line 8); and archiving website data (web pages) selected the one or more websites using the one or more methods of website data selection to a storage medium (column 3 lines 60-65; column 4 lines 35-50; and column 4 line 59 to column 5 line 3).

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23. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a). A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Contact Information

24. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Bharat Barot whose telephone number is (571) 272-3979. The examiner can normally be reached on Monday-Friday from 9:30 AM to 6:00 PM.


If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Alam, Hosain, can be reached at (571) 272-3978.

Any inquiry of general nature or relating to the status of this application should be directed to the group receptionist whose telephone number is (703) 305-3900.

Patent Examiner Bharat Barot

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December 13, 2004


BHARAT BAROT
PRIMARY EXAMINER